

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Kizito Kalema d/b/a
Gold Eagle Courier,

Civil No. 05-0323 (PAM/JSM)

Plaintiff,

v.

ORDER

U.S. Oil Co., Inc. d/b/a
U.S. Tire & Exhaust,

Defendant.

This action involved two claims: a breach of contract claim and a discrimination claim under the Minnesota Human Rights Act (“MHRA”). Trial in this matter occurred in July 2006. The parties tried the breach of contract claim to the jury and the discrimination claim to the Court. The jury returned a verdict in favor of Plaintiff and awarded him \$17,600 on the breach of contract claim. In August 2006, the Court found that Plaintiff had successfully established the discrimination claim. It therefore awarded Plaintiff emotional distress damages, as well as reasonable attorneys’ fees.

Thereafter, Plaintiff’s counsel submitted a detailed affidavit, in which he explained that Plaintiff incurred \$26,633.75 in attorney’s fees and \$561.33 in costs in this matter.¹

¹ Plaintiff’s counsel also submitted a taxation of costs to the Clerk of Court pursuant to 29 U.S.C. § 1920. The Court notes that some of the costs in his affidavit and in the taxation of costs overlap. To the extent that there are redundancies, Plaintiff is entitled to recover a cost only once.

Defendant did not object to the affidavit. Accordingly, **IT IS HEREBY ORDERED** that Defendants shall remit payment of \$27,195.08 in attorneys' fees and costs to Plaintiff within thirty days of this Order.

Dated: September 26, 2006

s/ Paul A. Magnuson
Paul A. Magnuson
United States District Court Judge